

UNITED STATES DISTRICT COURT

JUL 26 2019

for the

Southern District of Texas

David J. Bradley, Clerk

United States of America)
v.)
Elia CASTANEDA, YOB: 1985, USC)
)
)
)
)
Case No. M-19-1752-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 25, 2019 in the county of Starr in the
Southern District of Texas, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
21 USC, 846	Knowingly and Intentionally Conspire to possess with Intent to Distribute approx. 57.5 kilograms or more of Marijuana, a Schedule I Controlled Substance
21 USC, 841 (a)(1)	Knowingly and Intentionally possess with Intent to Distribute approx. 57.5 kilograms or more of Marijuana, a Schedule I Controlled Substance.

This criminal complaint is based on these facts:

See Attachment "A".

Continued on the attached sheet.

Approved *M. Vazaldua*
7-26-19

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Complainant's signature

Gilberto M. Vazaldua, DEA Task Force Officer

Printed name and title

Sworn to before me and signed in my presence.

Date: 07/26/2019

J. Scott Hacker

Judge's signature

City and state: McAllen, Texas

J. Scott Hacker, U.S. Magistrate Judge

Printed name and title

ATTACHMENT "A"

On July 25, 2019 at approximately 7:20 pm, Border Patrol Agent (BPA) Aaron Williams, Garrett DePietro and Justin Wardlow responded to a callout from Aerostat 5 (Alpha 5), Operator BPA David Thomas of three subjects running north in La Prieta Ranch, La Rosita, Texas with suspected bundles of marijuana. Alpha 5 observed three subjects carrying suspected bundles of narcotics running north from the Rio Grande River towards the La Prieta Ranch. A white Chevrolet Malibu arrived and parked south of the ranch, later identified as a 2009 Chevrolet Malibu later found to be operated by Elia CASTENEDA, the driver.

Three subjects appeared out of the brush and loaded the bundles into the trunk and passenger floorboard of the white passenger vehicle. Alpha 5 then observed the subjects run south towards the river. As the white passenger vehicle departed the area, a red Chevrolet Silverado was observed driving in front of it in a manner that appeared to be guiding the vehicle in the proper direction. At this time, Alpha 5 advised agents in the area to respond and interdict.

Agents responded with their emergency lights activated, where the white Malibu was stopped on the road and the red Silverado continued north. BPA Williams approached the white Malibu, where a bundle of marijuana was observed in plain view on the passenger floorboard. BPA Williams ordered CASTENEDA out of the vehicle, where Agents obtained a consent to search the vehicle.

BPA Williams was able to locate another bundle in the rear passenger area and two more in the trunk cargo area. Agent Wardlow and Depietro encountered the red truck further north and performed a stop. The red truck was absent of any narcotics but the driver, Jose Manuel GARZA, was detained for his involvement with guiding the load vehicle northbound. The narcotics, identified as 57.5 kilograms of marijuana were transported to the Rio Grande City Border Patrol Station for processing.

While at the Rio Grande City Border Patrol Station, TFO Gilberto M. Vazaldua and TFO Cosme Muniz arrived for an interview. While at location CASTANEDA was read her Miranda Warnings, which she agreed, therefore waived and signed indicating she agreed to provide a voluntary statement. CASTANEDA stated a male subject identified as Ivan LNU had contacted her via telephone and threatened to kill her son. CASTANEDA stated the male subject was upset because CASTANEDA had recently sold a vehicle to a Zeta member, which made Ivan LNU very upset. CASTANEDA stated she was well aware she was picking up marijuana. CASTANEDA stated she only did it to protect her son.

After running and inquiry on CASTANEDA it was revealed she was currently on federal probation, therefore was placed under arrest.

Jose Manuel GARZA was then read his Miranda Warnings, and also signed waiving his rights. GARZA stated CASTANEDA was his girlfriend and he asked her not to pick up the marijuana. GARZA stated he followed her south of La Prieta Ranch, but it was too late, CASTANEDA was travelling northbound loaded. GARZA was released on scene.